1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 10 UNITED STATES OF AMERICA, CASE NO. 3:18-cr-00577-CRB 11 Plaintiff, [PROPOSED] ORDER GRANTING 12 **DEFENDANT STEPHEN** 13 CHAMBERLAIN'S MOTIONS FOR VS. **ISSUANCE OF RULE 17 SUBPOENAS** AND LETTERS ROGATORY (ECF MICHAEL RICHARD LYNCH AND 14 STEPHEN KEITH CHAMBERLAIN NOS. 81 & 87) 15 Defendants. Date: December 1, 2021 Time: 1:30 p.m. 16 Crtrm.: 6 17 Assigned to Hon. Charles R. Brever 18 19 20 21 22 23 24 25 26 27 28

3763407.1

1	[PROPOSED] ORDER		
2	Good cause having been shown, the Court GRANTS Defendant Stephen		
3	Chamberlain's Motion for Issuance of Supoenas Pursuant to Federal Rule of Criminal		
4	Procedure 17(c) and Letters Rogatory Pursuant to 28 U.S.C. § 1781 Relating to Daud		
5	Khan and Paul Morland (ECF No. 81); and Motion for Issuance of Subpoenas to Reena		
6	Prasad, Percy Tejeda, and Ganesh Vaidyanathan Pursuant to Federal Rule of Criminal		
7	Procedure 17(c) (ECF No. 87).		
8	The Court HEREBY ISSUES the subpoenas and letters rogatory attached to this		
9	order.		
10	The Court ORDERS the Clerk of the Court to transmit the letters rogatory (Exhibits		
11	10 through 12) along with a copy of the Second Superseding Indictment, via both		
12	registered mail and email to the U.K. Central Authority at the following address:		
13	UK Central Authority		
14	International Criminality Unit Home Office		
15	3rd Floor Seacole Building 2 Marsham Street		
16	London SW1P 4DF UKCA-ILOR@homeoffice.gov.uk		
17	The Court further ORDERS the Clerk of the Court to notify counsel of record when		
18	the letters rogatory have been transmitted, and to promptly advise counsel of record of any		
19	response received.		
20			
21	DATED: December 1, 2021		
22	Honorable Charles R. Breyer		
23	United States District Court Judge Northern District of California		
24			
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26			
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UNITED STATES OF AMERICA,

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

SUBPOENA TO PRODUCE

	Plaintiff,	DOCUMENTS (IN A CRIMINA		
v.		Case No.: 3:18-c	er-00577-CRB	
Michael Richard Lynch and S	Stephen Keith Chambe	erlain,		
	Defendant(s).			
TO: Reena Prasad				
YOU ARE COMMANDED to below. If compliance would modify the subpoena, to review	be unreasonable or opp	pressive, you may file a moti	on requesting the cour	t to quash or
PLACE ☑ U.S. Courthouse 450 Golden Gate Ave.	☐ U.S. Courthouse 280 South First St.	☐ U.S. Courthouse 3140 Boeing Ave.	☐ U.S. Courthouse 1301 Clay Street	COURTROOM/JUDGE 6/Hon. Charles R. Breyer
San Francisco, CA 94102	San Jose, CA 95113	McKinleyville, CA 95519	Oakland, CA 94612	DATE AND TIME 45 days from receipt
If the document(s) or object(the clerk's office or to the is	s) are produced in advessing attorney whose i	ance of the date specified, eit name and address appears b	her to the court in an e elow, no appearance i	nvelope delivered to
The following document(s) See Attachment 1	or object(s) shall be pr	oduced:		
NOTE: Salar and former and		-fit to tookifoti		
documents to a criminal pro production of state law enfo	ceeding, must use For rement personnel or or	of a witness to testify at a crim CAND 89A, Subpoena to complaint records (CAND 89 a Criminal Case) are available	Testify in a Criminal (PC, Subpoena to Prodi	Case) or for the uce State Law
U.S. MAGISTRATE JUDGE OR	CLERK OF COURT	DATE		
(By) Deputy Clerk				
ATTORNEY'S NAME, ADDRES	SS AND PHONE NUMBER	 R:		

Gary S. Lincenberg; Bird Marella Boxer Wolpert Nessim Drooks Lincenberg & Rhow PC; 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561; (310) 201-2100; glincenberg@birdmarella.com

Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 5 of 47

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ed States of America that the foregoing information
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ADDRESS:

Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 6 of 47

ATTACHMENT 1

Within 45 days of receiving this subpoena, please produce the materials described below to the chambers of Judge Charles R. Breyer, U.S. Courthouse, 450 Golden Gate Ave, San Francisco, CA 94102.

- 1. Written communications from March 1, 2009 through December 31, 2010, including but not limited to emails, text messages, and messages on chat applications and/or social media platforms, relating to Autonomy Corporation PLC ("Autonomy") and/or Stephen Chamberlain, between you and (a) Matthew Stephan, (b) Percy Tejeda, (c) Ganesh Vaidyanathan, and/or (d) Brent Hogenson.
- 2. Written communications relating to your testimony before the Grand Jury on November 1, 2018.
- 3. Personal records of phone calls between you and Matthew Stephan, Percy Tejeda, Ganesh Vaidyanathan and/or Brent Hogenson from July 1, 2010 through August 31, 2010.
- 4. Any personal notes, memoranda, journal entries, or other documents in your possession, custody or control concerning Stephen Chamberlain.

UNITED STATES OF AMERICA,

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

SUBPOENA TO PRODUCE

	Plaintiff,	IN A CRIMINA		
v.		Case No.: 3:18-c	r-00577-CRB	
Michael Richard Lynch and	Stephen Keith Chamber	·lain,		
	Defendant(s).			
TO: Percy Tejeda				
YOU ARE COMMANDED below. If compliance would modify the subpoena, to rev	be unreasonable or opp	ressive, you may file a moti	on requesting the cour	t to quash or
PLACE ☑ U.S. Courthouse 450 Golden Gate Ave.	☐ U.S. Courthouse 280 South First St.	☐ U.S. Courthouse 3140 Boeing Ave.	☐ U.S. Courthouse 1301 Clay Street	COURTROOM/JUDGE 6/Hon. Charles R. Breyer
San Francisco, CA 94102		McKinleyville, CA 95519	Oakland, CA 94612	DATE AND TIME 45 days from receipt
If the document(s) or object the clerk's office or to the i	(s) are produced in adva ssuing attorney whose n	nce of the date specified, eith ame and address appears b	her to the court in an e elow, no appearance i	nvelope delivered to
The following document(s) See Attachment 1				·
documents to a criminal proportion of state law enf	oceeding, must use Form orcement personnel or co	f a witness to testify at a crimal CAND 89A, Subpoena to a complaint records (CAND 89) are available of the criminal Case are available.	Testify in a Criminal (PC, Subpoena to Prodi	Case) or for the uce State Law
U.S. MAGISTRATE JUDGE OF	CLERK OF COURT	DATE		
(Da) Danista Clada				
(By) Deputy Clerk				
ATTORNEY'S NAME, ADDRE	SS AND PHONE NUMBER	:		

Gary S. Lincenberg; Bird Marella Boxer Wolpert Nessim Drooks Lincenberg & Rhow PC; 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561; (310) 201-2100; glincenberg@birdmarella.com

Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 9 of 47

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I declare under contained in the	penalty of perjury under the laws of the Unit e Proof of Service is true and correct.	ted States of America that the foregoing information
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Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 10 of 47

ATTACHMENT 1

Within 45 days of receiving this subpoena, please produce the materials described below to the chambers of Judge Charles R. Breyer, U.S. Courthouse, 450 Golden Gate Ave, San Francisco, CA 94102.

- 1. Written communications from March 1, 2009 through December 31, 2010, including but not limited to emails, text messages, and messages on chat applications and/or social media platforms, relating to Autonomy Corporation PLC ("Autonomy") and/or Stephen Chamberlain, between you and (a) Reena Prasad, (b) Matthew Stephan, (c) Ganesh Vaidyanathan, and/or (d) Brent Hogenson.
- 2. Written communications relating to your testimony before the Grand Jury on November 1, 2018.
- 3. Personal records of phone calls between you and Reena Prasad, Matthew Stephan, Ganesh Vaidyanathan and/or Brent Hogenson from July 1, 2010 through August 31, 2010.
- 4. Any personal notes, memoranda, journal entries, or other documents in your possession, custody or control concerning Stephen Chamberlain.

UNITED STATES OF AMERICA,

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

SUBPOENA TO PRODUCE

Plaintiff,	DOCUMENTS OR OBJECTS IN A CRIMINAL CASE	
v.	Case No.: 3:18-cr-00577-CRB	
Michael Richard Lynch and Stephen Keith Chamberlain,		
Defendant(s).		
TO: Ganesh Vaidyanathan		
YOU ARE COMMANDED to produce at the place, date, are below. If compliance would be unreasonable or oppressive, modify the subpoena, to review the documents in camera, o	you may file a motion requesting the cour	t to quash or
	Courthouse U.S. Courthouse Boeing Ave. 1301 Clay Street	COURTROOM/JUDGE 6/Hon. Charles R. Breyer
	inleyville, CA 95519 Oakland, CA 94612	DATE AND TIME
If the document(s) or object(s) are produced in advance of the clerk's office or to the issuing attorney whose name and		
The following document(s) or object(s) shall be produced: See Attachment 1		
NOTE: Subpoena forms requiring the appearance of a with documents to a criminal proceeding, must use Form CANI production of state law enforcement personnel or complaint Enforcement Personnel Or Complaint Records in a Crimin cand.uscourts.gov.	O 89A, Subpoena to Testify in a Criminal C at records (CAND 89C, Subpoena to Produ	Case) or for the uce State Law
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE	
(By) Deputy Clerk		
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER: Gary S. Lincenberg; Bird Marella Boxer Wolpert Nessim	Drooks Lincenberg & Rhow PC: 1875 Ce	ntury Park East
om y b. Linconderg, blid materia boxer worpert Nessill	Diooks Lincologies & Kliow I C, 10/3 CC	mury rain East,

23rd Floor, Los Angeles, CA 90067-2561; (310) 201-2100; glincenberg@birdmarella.com

Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 13 of 47

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Case 3:18-cr-00577-CRB Document 96 Filed 12/01/21 Page 14 of 47

ATTACHMENT 1

Within 45 days of receiving this subpoena, please produce the materials described below to the chambers of Judge Charles R. Breyer, U.S. Courthouse, 450 Golden Gate Ave, San Francisco, CA 94102.

- 1. Written communications from March 1, 2009 through December 31, 2010, including but not limited to emails, text messages, and messages on chat applications and/or social media platforms, relating to Autonomy Corporation PLC ("Autonomy") and/or Stephen Chamberlain, between you and (a) Reena Prasad, (b) Matthew Stephan, (c) Percy Tejeda, and/or (d) Brent Hogenson.
- 2. Written communications relating to your testimony before the Grand Jury on November 1, 2018.
- 3. Personal records of phone calls between you and Reena Prasad, Matthew Stephan, Percy Tejeda, and/or Brent Hogenson from July 1, 2010 through August 31, 2010.
- 4. Any personal notes, memoranda, journal entries, or other documents in your possession, custody or control concerning Stephen Chamberlain.

310-201-2100

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	SUBPOENA TO PRODUCE		
Plaintiff,	DOCUMENTS OR OBJECTS IN A CRIMINAL CASE		
v.	Case No.: 3:18-cr-00577-CR		
STEPHEN K. CHAMBERLAIN			
Defendant(s).			
TO: Hafeez Bux Daud Khan			
YOU ARE COMMANDED to produce at the place, date, a below. If compliance would be unreasonable or oppressive modify the subpoena, to review the documents in camera,	e, you may file a motion requesting the cour	t to quash or	
450 Golden Gate Ave. 280 South First St. 314 San Francisco, CA 94102 San Jose, CA 95113 McI	. Courthouse U.S. Courthouse 10 Boeing Ave. 1301 Clay Street Kinleyville, CA 95519 Oakland, CA 94612	COURTROOM/JUDGE 6/Breyer DATE AND TIME 45 days from receipt	
If the document(s) or object(s) are produced in advance of the clerk's office or to the issuing attorney whose name at			
The following document(s) or object(s) shall be produced	l:		
All records and communications in the possession of I Chamberlain, or Dr. Michael Lynch, including but not hand-written notes, reports (and drafts thereof), emails Daud.Khan@gmail.com), chat messages, text message audio recordings.	t limited to, electronic or hard copy docus (including emails sent or received by	uments,	
NOTE: Subpoena forms requiring the appearance of a wit documents to a criminal proceeding, must use Form CAN production of state law enforcement personnel or complaint Enforcement Personnel Or Complaint Records in a Crimicand.uscourts.gov.	ID 89A, Subpoena to Testify in a Criminal Cint records (CAND 89C, Subpoena to Produ	Case) or for the uce State Law	
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE		
(By) Deputy Clerk			
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:			
Gary S. Lincenberg Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lince	onhara & Phay DC		
1875 Century Park East, 23rd Floor, Los Angeles, CA	2		

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I declare under contained in th	r penalty of perjury under the laws of ne Proof of Service is true and correct.	the United States of America that the foregoing information
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310-201-2100

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,		SUBPOENA TO PRODUCE		
Plaintiff,		OCUMENTS (A CRIMINA	OR OBJECTS L CASE	
v.	Ca	se No.: 3:18-	cr-00577-CR	
STEPHEN K. CHAMBERLAIN				
Defendant(s).				
TO: JP Morgan Chase Bank, N.A				
YOU ARE COMMANDED to produce at the place, below. If compliance would be unreasonable or opp modify the subpoena, to review the documents in ca	pressive, you n	nay file a moti	on requesting the cour	rt to quash or
PLACE				COURTROOM/JUDGE
450 Golden Gate Ave. 280 South First St.	☐ U.S. Courth 3140 Boein	g Ave.	☐ U.S. Courthouse 1301 Clay Street	6/Breyer DATE AND TIME
San Francisco, CA 94102 San Jose, CA 95113	-	ille, CA 95519	Oakland, CA 94612	45 days from receipt
If the document(s) or object(s) are produced in advathe clerk's office or to the issuing attorney whose n				
The following document(s) or object(s) shall be pro-	oduced:			
All communications and documents, in hard correlating to Autonomy, Mr. Stephen Chamberlain messages or transcripts, emails (including from Daud.Khan@JPMResearchmail.com), instant m DKHAN5@Bloomberg.net), voicemails, audio	n, or Dr. Mic daud.khan@ nessages, Blo	hael Lynch, cazenove.com comberg com	including but not limm, Daud.Khan@jpmmunications (including	nited to chat lorgan.com and lng from
NOTE: Subpoena forms requiring the appearance of documents to a criminal proceeding, must use Form production of state law enforcement personnel or candiuscourts.gov.	m CAND 89A, complaint reco	, <i>Subpoena to</i> rds (CAND 89	Testify in a Criminal (PC, Subpoena to Prod	Case) or for the uce State Law
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DA	ATE		
(By) Deputy Clerk				
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER	₹:			
Gary S. Lincenberg	. т : 1	0 D1. DC	,	
Bird, Marella, Boxer, Wolpert, Nessim, Drooks 1875 Century Park East, 23rd Floor, Los Angelo	_		·•	

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	DOCUMENTS OR OBJECTS	
riamum,	IN A CRIMINAL CASE	
V.	Case No.: 3:18-cr-00577-CR	
STEPHEN K. CHAMBERLAIN		
Defendant(s).		
TO: Joh. Berenberg, Gossler & Co. KG		
YOU ARE COMMANDED to produce at the place, da below. If compliance would be unreasonable or oppres modify the subpoena, to review the documents in came	ssive, you may file a motion requesting the cour	t to quash or
	U.S. Courthouse	COURTROOM/JUDGE 6/Breyer
	3140 Boeing Ave. 1301 Clay Street McKinleyville, CA 95519 Oakland, CA 94612	DATE AND TIME 45 days from receipt
If the document(s) or object(s) are produced in advance the clerk's office or to the issuing attorney whose name		
The following document(s) or object(s) shall be produ	iced:	
All communications and documents, in hard copy relating to Autonomy, Mr. Stephen Chamberlain, of messages or transcripts, emails, text messages, Blochand-written notes, and reports (or drafts thereof).	or Dr. Michael Lynch, including but not lim	ited to chat
NOTE: Subpoena forms requiring the appearance of a documents to a criminal proceeding, must use Form C production of state law enforcement personnel or com <i>Enforcement Personnel Or Complaint Records in a C</i> cand.uscourts.gov.	CAND 89A, Subpoena to Testify in a Criminal Caplaint records (CAND 89C, Subpoena to Produ	Case) or for the uce State Law
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE	
(By) Deputy Clerk		
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:		
Gary S. Lincenberg Bird, Marella, Boxer, Wolpert, Nessim, Drooks, L 1875 Century Park East, 23rd Floor, Los Angeles, 310-201-2100	2	

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310-201-2100

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	SUBPOENA TO PRODUCE		
Plaintiff,	DOCUMENTS OR OBJECTS IN A CRIMINAL CASE		
v.	Case No.: 3:18-cr-00577-CR		
STEPHEN K. CHAMBERLAIN			
Defendant(s).			
TO: Paul Gilmer Morland			
below. If compliance would be unreasonable or oppre	ate, and time specified the document(s) or object(s) indicated essive, you may file a motion requesting the court to quash or era, or to permit production only pursuant to a protective order.		
PLACE ✓ U.S. Courthouse □ U.S. Courthouse □	U.S. Courthouse		
450 Golden Gate Ave. San Francisco, CA 94102 280 South First St. San Jose, CA 95113	3140 Boeing Ave. 1301 Clay Street McKinleyville, CA 95519 Oakland, CA 94612 DATE AND TIME 45 days from receipt		
	ce of the date specified, either to the court in an envelope delivered to me and address appears below, no appearance is necessary.		
The following document(s) or object(s) shall be produ	luced:		
Chamberlain, or Dr. Michael Lynch, including but	n of Paul Morland relating to Autonomy, Mr. Stephen at not limited to, electronic or hard copy documents, mails, chat messages, text messages, social media account s.		
documents to a criminal proceeding, must use Form C	a witness to testify at a criminal proceeding or to testify and bring CAND 89A, Subpoena to Testify in a Criminal Case) or for the mplaint records (CAND 89C, Subpoena to Produce State Law Criminal Case) are available at the Court's website:		
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE		
(By) Deputy Clerk			
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:	·		
Gary S. Lincenberg	incombana & Dhouy DC		
Bird, Marella, Boxer, Wolpert, Nessim, Drooks, L 187s5 Century Park East, 23rd Floor, Los Angeles	,		

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310-201-2100

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	SUBPOENA TO PRODUCE			
Plaintiff,	DOCUMENTS OR OBJECTS IN A CRIMINAL CASE			
v.	Case No.: 3:18-cr-00577-CR			
STEPHEN K. CHAMBERLAIN				
Defendant(s).				
TO: Northland Capital Partners Limited (previously k	nown as Astaire Securities)			
YOU ARE COMMANDED to produce at the place, date, as below. If compliance would be unreasonable or oppressive modify the subpoena, to review the documents in camera, or	, you may file a motion requesting the cour	t to quash or		
PLACE	G d US Counthouse	COURTROOM/JUDGE		
450 Golden Gate Ave. 280 South First St. 3140	Courthouse U.S. Courthouse Boeing Ave. 1301 Clay Street Cinleyville, CA 95519 Oakland, CA 94612	DATE AND TIME 45 days from receipt		
If the document(s) or object(s) are produced in advance of the clerk's office or to the issuing attorney whose name and		nvelope delivered to		
The following document(s) or object(s) shall be produced:				
All communications and documents, in hard copy or elemessages, texts, emails, voicemails, hand-written notes generated by or sent to Paul Morland, relating to Autor	s, reports (including drafts thereof), or a	audio recordings,		
NOTE: Subpoena forms requiring the appearance of a witr documents to a criminal proceeding, must use Form CANI production of state law enforcement personnel or complain Enforcement Personnel Or Complaint Records in a Crimin cand.uscourts.gov.	D 89A, Subpoena to Testify in a Criminal C nt records (CAND 89C, Subpoena to Produ	Case) or for the uce State Law		
U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE			
(By) Deputy Clerk				
ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:				
Gary S. Lincenberg Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lince 1875 Century Park East, 23rd Floor, Los Angeles, CA	•			

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,		DOCUMENTS O		
Plaint	1111,	IN A CRIMINAI	L CASE	
V.		Case No.: 3:18-0	er-00577-CR	
STEPHEN K. CHAMBERLAIN				
Defer	ndant(s).			
TO: Peel Hunt LLP				
YOU ARE COMMANDED to product below. If compliance would be unreast modify the subpoena, to review the do	sonable or oppressive, y	ou may file a motic	on requesting the cour	t to quash or
PLACE ✓ U.S. Courthouse □ U.S. Co			☐ U.S. Courthouse	COURTROOM/JUDGE 6/Breyer
		oeing Ave. leyville, CA 95519	1301 Clay Street Oakland, CA 94612	DATE AND TIME 45 days from receipt
If the document(s) or object(s) are prothe clerk's office or to the issuing atta				nvelope delivered to
The following document(s) or objects	(s) shall be produced:			
All communications and document relating to Autonomy, Mr. Stephen messages or transcripts, emails, ins reports (or drafts thereof).	Chamberlain, or Dr.	Michael Lynch, ii	ncluding but not lim	ited to chat
NOTE: Subpoena forms requiring the documents to a criminal proceeding, production of state law enforcement penforcement Personnel Or Complain cand.uscourts.gov.	must use Form CAND 8 personnel or complaint	89A, Subpoena to Trecords (CAND 89	estify in a Criminal C C, Subpoena to Prodi	Case) or for the uce State Law
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(By) Deputy Clerk				
ATTORNEY'S NAME, ADDRESS AND PH	HONE NUMBER:	1		
Gary S. Lincenberg Bird, Marella, Boxer, Wolpert, Nes 1875 Century Park East, 23rd Floor 310-201-2100				

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ADDITIONAL IN	FORMATION	

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION UNITED STATES OF AMERICA, CASE NO. 3:18-cr-00577-CRB Plaintiff, [PROPOSED] LETTER ROGATORY TO THE UNITED VS. KINGDOM, CENTRAL AUTHORITY, INTERNATIONAL CRIMINALITY UNIT, HOME MICHAEL RICHARD LYNCH AND STEPHEN KEITH CHAMBERLAIN OFFICE REQUESTING MATERIALS FROM DAUD KHAN Defendants. Assigned to Hon. Charles R. Brever

3763869.1

The Honorable Charles R. Breyer, United States District Court Judge of the United States District Court for the Northern District of California, presents his compliments to the UK Central Authority, International Criminality Unit, Home Office and requests international assistance, pursuant to the Mutual Legal Assistance Treaty between the United States and the United Kingdom of Great Britain and Northern Ireland, to obtain evidence to be used in a criminal proceeding before this Court in the above-captioned matter.

This Court requests the assistance described herein as necessary in the interests of justice and for the purpose of a full and fair trial. The assistance requested is that the UK Central Authority compel Hafeez Bux Daud Khan to produce the documents identified below.

I. FACTUAL BACKGROUND

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This request relates to a criminal case brought against Stephen Chamberlain by the United States of America in the Northern District of California. The Second Superseding Indictment ("SI") alleges that Mr. Chamberlain, Dr. Michael Lynch, and others defrauded purchasers and sellers of Autonomy securities, including, specifically, Hewlett-Packard Company ("HP") in connection with its purchase of Autonomy Corporation plc ("Autonomy") in August 2011. Mr. Chamberlain is charged with, inter alia, wire and securities fraud, and conspiracy to commit the same, in violation of 18 U.S.C. §§ 1343, 1348, and 1349. He is also separately charged with a multi-object conspiracy to conceal the alleged fraud, in violation of 18 U.S.C. § 371. The case against Mr. Chamberlain is in pretrial proceedings at present. This Letter Rogatory stems from a request by counsel for Mr. Chamberlain for materials which this Court has found are relevant and material for his defense at trial and requested in the interests of justice. The charges against Mr. Chamberlain rely in part on the testimony of Mr. Khan, a former securities analyst who covered Autonomy, and who has previously testified in related proceedings, including United States v. Hussain, No. CR 16-462 CRB (Northern District of California), and

1 Autonomy Corp. Ltd. v. Lynch, Claim No. HC-2015-001324 (High Court of Justice, 2 Chancery Division, London, U.K.). Mr. Khan has testified that Autonomy's senior 3 management misled him and other market participants regarding Autonomy's 4 finances and products. The SI alleges that analysts such as Mr. Khan relied on 5 Autonomy's financial statements that Mr. Chamberlain helped to prepare, and that 6 Mr. Chamberlain presented deceptive information regarding Autonomy's (i) 7 revenue from hardware sales; (ii) Original Equipment Manufacturer ("OEM") 8 revenue; and (iii) cost allocation relating to the launch of its new Structured 9 Probabilistic Engine ("SPE") product in Q3 2009, among other things. Mr. Khan has 10 claimed that this inflated financial information led to an inflated share price. The record as of now is materially incomplete, as Mr. Chamberlain currently 11

The record as of now is materially incomplete, as Mr. Chamberlain currently has access to only a limited set of Mr. Khan's relevant communications. As such, it will be critical for Mr. Chamberlain to receive additional evidence from Mr. Khan in order establish that, contrary to Mr. Khan's testimony, he was not deceived and that there was no fraudulent scheme.

II. RECIPROCITY

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The United States District Court for the Northern District of California expresses its willingness to provide similar assistance to authorities of the United Kingdom of Great Britain and Northern Ireland, should the need arise, and to the extent permissible by law.

III. REIMBURSEMENT FOR COSTS

The United States District Court for the Northern District of California assures the Central Authority that Mr. Chamberlain stands ready to reimburse the authorities of the United Kingdom of Great Britain and Northern Ireland for any costs incurred in executing the requesting court's letters rogatory.

IV. EVIDENCE TO BE OBTAINED

This request is directed to Hafeez Bux Daud Khan's ("Daud Khan"), Flat B, 19 Chetwode Road, London SW17 7RF, for the production of the materials

1	identified below:
2	1. All records and communications in the possession, custody, or control
3	of Hafeez Bux Daud Khan relating to Autonomy, Mr. Stephen Chamberlain, or Dr.
4	Michael Lynch, including but not limited to, electronic or hard copy documents,
5	hand-written notes, reports (and drafts thereof), emails (including emails sent or
6	received by Daud.Khan@gmail.com), chat messages, text messages, social media
7	account communications, voicemails and audio recordings.
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11	DATED:
12	Honorable Charles R. Breyer
13	United States District Court Judge Northern District of California
14	450 Golden Gate Avenue
15	San Francisco, CA 94102
16	crbcrd@cand.uscourts.gov
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1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 9 10 UNITED STATES OF AMERICA, CASE NO. 3:18-cr-00577-CRB 11 [PROPOSED] LETTER Plaintiff, 12 ROGATORY TO THE UNITED 13 VS. KINGDOM, CENTRAL AUTHORITY, INTERNATIONAL CRIMINALITY UNIT, HOME MICHAEL RICHARD LYNCH AND STEPHEN KEITH CHAMBERLAIN 14 **OFFICE REQUESTING** MATERIALS FROM PAUL 15 Defendants. **MORLAND** 16 Assigned to Hon. Charles R. Brever 17 18 19 20 21 22 23 24 25 26 27 28

3763871.1

The Honorable Charles R. Breyer, United States District Court Judge of the United States District Court for the Northern District of California, presents his compliments to the UK Central Authority, International Criminality Unit, Home Office, and requests international assistance, pursuant to the Mutual Legal Assistance Treaty between the United States and the United Kingdom of Great Britain and Northern Ireland to obtain evidence to be used in a criminal proceeding before this Court in the above-captioned matter.

This Court requests the assistance described herein as necessary in the interests of justice and for the purpose of a full and fair trial. The assistance requested is that the UK Central Authority compel Paul Gilmer Morland to produce the documents identified below.

FACTUAL BACKGROUND I.

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This request relates to a criminal case brought against Stephen Chamberlain by the United States of America in the Northern District of California. The Second Superseding Indictment ("SI") alleges that Mr. Chamberlain, Dr. Michael Lynch, and others defrauded purchasers and sellers of Autonomy securities, including, specifically, Hewlett-Packard Company ("HP") in connection with its purchase of Autonomy Corporation plc ("Autonomy") in August 2011. Mr. Chamberlain is charged with, inter alia, wire and securities fraud, and conspiracy to commit the same, in violation of 18 U.S.C. §§ 1343, 1348, and 1349. He is also separately charged with a multi-object conspiracy to conceal the Alleged fraud, in violation of 18 U.S.C. § 371. The case against Mr. Chamberlain is in pretrial proceedings at present. This Letter Rogatory stems from a request by counsel for Mr. Chamberlain for materials which this Court has found are relevant and material for his defense at trial and requested in the interests of justice.

The charges against Mr. Chamberlain rely in part on the testimony of Mr. Morland, a former securities analyst who covered Autonomy, and who has previously testified in related proceedings, including United States v. Hussain, No.

1 CR 16-462 CRB (Northern District of California), and Autonomy Corp. Ltd. v. Lynch, Claim No. HC-2015-001324 (High Court of Justice, Chancery Division, 2 3 London, U.K.). Mr. Morland has testified that Autonomy's senior management 4 misled him and other market participants regarding Autonomy's finances and 5 products. The SI alleges that analysts such as Mr. Morland relied on Autonomy's 6 financial statements that Mr. Chamberlain helped to prepare, and that Mr. 7 Chamberlain presented 1 deceptive information regarding Autonomy's (i) revenue 8 from hardware sales; (ii) Original Equipment Manufacturer ("OEM") revenue; and 9 (iii) cost allocation relating to the launch of its new Structured Probabilistic Engine 10 ("SPE") product in Q3 2009, among other things. Mr. Morland has claimed that this 11 inflated financial information led to an inflated share price. 12 The record as of now is materially incomplete, as Mr. Chamberlain currently has access to only a limited set of Mr. Morland's relevant communications. As such, it will be critical for Mr. Chamberlain to receive additional evidence from Mr. 14 15 Morland in order to establish that, contrary to Mr. Morland's testimony, he was not

II. RECIPROCITY

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The United States District Court for the Northern District of California expresses its willingness to provide similar assistance to authorities of the United Kingdom of Great Britain and Northern Ireland, should the need arise, and to the extent permissible by law.

III. REIMBURSEMENT FOR COSTS

deceived and that there was no fraudulent scheme.

The United States District Court for the Northern District of California assures the UK Central Authority that Mr. Chamberlain stands ready to reimburse the authorities of the United Kingdom of Great Britain and Northern Ireland for any costs incurred in executing the requesting court's letters rogatory.

IV. EVIDENCE TO BE OBTAINED

This request is directed to Paul Gilmer Morland ("Paul Morland"), c/o

1	Alvarium Capital, 1st Floor, 10 Old Burlin	gton Street, London, W1S 3AG, for the
2	production of the documents identified belo	ow:
3	1. All records and communication	ons in the possession, custody, or control
4	of Paul Morland relating to Autonomy, Mr	. Stephen Chamberlain, or Dr. Michael
5	Lynch, including but not limited to, electro	onic or hard copy documents, hand-written
6	notes, reports (and drafts thereof), emails, o	chat messages, text messages, social
7	media account communications, voicemail	s and audio recordings.
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10	DATED:	
11		Honorable Charles R. Breyer
12		United States District Court Judge Northern District of California
13		450 Golden Gate Avenue
14		San Francisco, CA 94102
		crbcrd@cand.uscourts.gov
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1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 9 10 UNITED STATES OF AMERICA, CASE NO. 3:18-cr-00577-CRB 11 Plaintiff, [PROPOSED] LETTER 12 ROGATORY TO THE UNITED 13 VS. KINGDOM, CENTRAL AUTHORITY, INTERNATIONAL CRIMINALITY UNIT, HOME MICHAEL RICHARD LYNCH AND STEPHEN KEITH CHAMBERLAIN 14 OFFICE REQUESTING MATERIALS FROM NORTHLAND 15 CAPITAL PARTNERS LIMITED Defendants. 16 Assigned to Hon. Charles R. Brever 17 18 19 20 21 22 23 24 25 26 27 28

3763882.1

The Honorable Charles R. Breyer, United States District Court Judge of the United States District Court for the Northern District of California, presents his compliments to the UK Central Authority, International Criminality Unit, Home Office and requests international assistance, pursuant to the Mutual Legal Assistance Treaty between the United States and the United Kingdom of Great Britain and Northern Ireland, to obtain evidence to be used in a criminal proceeding before this Court in the above-captioned matter.

This Court requests the assistance described herein as necessary in the interests of justice and for the purpose of a full and fair trial. The assistance requested is that the UK Central Authority compel Northland Capital Partners Limited (formerly Astaire Securities) to produce the materials identified below.

FACTUAL BACKGROUND I.

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The charges against Mr. Chamberlain rely in part on the testimony of Mr. Morland, a former securities analyst who covered Autonomy, and who has previously testified in related proceedings, including *United States v. Hussain*, No.

3763882.1 Case No. 3:18-cr-00577-CRB [PROPOSED] LETTER ROGATORY (NORTHLAND CAPITAL PARTNERS)

1 CR 16-462 CRB (Northern District of California), and Autonomy Corp. Ltd. v. 2 Lynch, Claim No. HC-2015-001324 (High Court of Justice, Chancery Division, 3 London, U.K.). Mr. Morland has testified that Autonomy's senior management 4 misled him and other market participants regarding Autonomy's finances and 5 products. The SI alleges that analysts such as Mr. Morland relied on Autonomy's financial statements that Mr. Chamberlain helped to prepare, and that Mr. 6 7 Chamberlain presented deceptive information regarding Autonomy's (i) revenue 8 from hardware sales; (ii) Original Equipment Manufacturer ("OEM") revenue; and 9 (iii) cost allocation relating to the launch of its new Structured Probabilistic Engine 10 ("SPE") product in Q3 2009, among other things. Mr. Morland has claimed that this 11 inflated financial information led to an inflated share price. 12 The record as of now is materially incomplete, as Mr. Chamberlain currently 13 has access to only a limited set of Mr. Morland's relevant communications. As such, 14

it will be critical for Mr. Chamberlain to receive additional evidence from Mr. Morland in order to establish that, contrary to Mr. Morland's testimony, he was not deceived and that there was no fraudulent scheme.

II. RECIPROCITY

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The United States District Court for the Northern District of California expresses its willingness to provide similar assistance to authorities of the United Kingdom of Great Britain and Northern Ireland, should the need arise, and to the extent permissible by law.

III. REIMBURSEMENT FOR COSTS

The United States District Court for the Northern District of California assures the UK Central Authority that Mr. Chamberlain stands ready to reimburse the authorities of the United Kingdom of Great Britain and Northern Ireland for any costs incurred in executing the requesting court's letters rogatory.

EVIDENCE TO BE OBTAINED IV.

Mr. Morland worked at Astaire Securities from July 2008 through October

1	2010, and reported on and communicated about Autonomy throughout his period of
2	employment. Therefore, Mr. Morland's communications and documents from this
3	period will be relevant to his coverage of Autonomy and to whether or not he was
4	deceived.
5	This request is directed to Northland Capital Partners Limited (formerly
6	Astaire Securities), Prince Fredrick House, 35-39 Maddox Street, London W1S 2PP,
7	for the production of the materials identified below:
8	1. All communications and documents, in hard copy or electronic form,
9	including but not limited to instant messages, texts, emails, voicemails, hand-written
10	notes, reports (including drafts thereof), or audio recordings, generated by or sent to
11	Paul Morland, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael
12	Lynch.
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17	DATED:
18	Honorable Charles R. Breyer
19	United States District Court Judge Northern District of California
20	450 Golden Gate Avenue
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22	<u>crbcrd@cand.uscourts.gov</u>
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3763882.1 4 Case No. 3:18-cr-00577-CRB